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LORD BROUGHAM'S LETTERS TO MR. FORSYTH.

LETTERS

FROM

LORD BROUGHAM

TO

WILLIAM FORSYTH, Esq., Q.C., LL.D.,

Late Fellow of Trinity College, Cambridge.

NOT PUBLISHED.

LONDON:
PRINTED BY BRADBURY, EVANS, & CO., WHITEFRIARS.
1872.

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INTRODUCTION.

For many years I enjoyed the great privilege of the warm and affectionate friendship of Lord Brougham. I first became personally acquainted with him by practising before the Judicial Committee of the Privy Council when he sat there as one of its members, and he expressed himself very kindly towards me. From that time until his death we kept up a close correspondence, and I paid him several visits at his seat, Brougham, near Penrith—besides dining with him in London.

I think that the following letters will show how confidential our intercourse was.

I do not propose to speak of Lord Brougham as a public man. His life and services are written in the annals of his country—and in his Autobiography,

885

lately published, he has himself recorded his own history. But only those who knew him intimately as I did can have any idea of the exceeding kindliness of his nature and the overflowing warmth of his heart. And I confess I take, what I hope will be considered a pardonable pride, in the recollection of the friendship of such a man so largely gifted in intellect.

It occurred to me that I might not only indulge my own feelings but possibly interest others, by printing for private circulation, a selection out of the many letters which Lord Brougham wrote to me during the last ten years of his life. I might easily add to the number—but some of them are of too confidential a nature for even such a limited circulation as this little book is likely to possess, and others might lay me open to the charge of vanity owing to the extremely flattering terms in which he has spoken of me in them. I did not, however, think that I was justified in printing *any* of these letters without first obtaining the permission of the present Lord Brougham, who is his Brother's executor—and he in

the frankest manner accorded that permission, for which I offer him my best thanks.

In this Introduction my notices can only be very brief and desultory, for, as I now much regret, I never made any memoranda of my numerous conversations with Lord Brougham.

It will be observed that he most frequently addresses me as *Hortensius.* This was owing to my having written and published in 1849 a work called "Hortensius, or the Advocate," which caught his fancy, and of which he was pleased to express his warm approval. It is a curious proof of how his mind lingered upon old times and old associations that when he wrote to me he invariably on the envelope added the letters K.C. instead of Q.C., for he was much more familiar with the appellation of King's Counsel than that of Queen's Counsel. I need not add—for the fact is well known from his published letters—that he never signed his name "Brougham," as Peers are in the habit of doing, but "H. Brougham," or merely used the initials H. B. This no doubt was from long habit; but he had in

fact become in later years very Conservative in his views. I do not mean this in the party sense of the word, for Lord Brougham in the latter part of his life belonged to no party—although he was as earnest as ever in the cause of progress, and took a warm interest in every thing that he thought would conduce to the improvement and happiness of the people. But from many conversations which I had with him, I could plainly see that he was alarmed at the democratic tendencies of the age, and thought that we were travelling a little too fast.

One day as I was walking along Coney Street, in York, my attention was arrested by a full-length portrait in a shop window, which I thought was a picture of Pitt. I went into the shop and was told that it was a portrait of Mr. Brougham taken at the time when he stood as a candidate for Westmoreland. I mentioned this afterwards to Lord Brougham, and he said, "O! that is not surprising, for in former years I have been taken for Pitt and was thought very like him." Certainly in later years the resemblance had wholly disappeared.

When I was a visitor at Brougham, he generally confined himself in the morning closely to his own sitting-room, which was the most simply and plainly furnished room in the house; and he was always hard at work composing his Addresses or carrying on his active correspondence. In the afternoon he used to walk about the grounds, and I found him a delightful and most instructive companion. It was an interesting sight to see his venerable face and form in the beautiful chapel at Brougham on Sunday, where he regularly attended the services of the church, and he not unfrequently muttered rather audibly what was passing in his mind. Sometimes at table he would sit silent for a considerable time, and it was difficult to rouse his attention. But whenever I called his memory back to old times, and put questions to him about the events and men of the early part of the century, it was wonderful to see how suddenly his mind lighted up, and how he poured forth his thoughts in a full and continuous stream of talk. His memory was most extraordinary —not merely of facts and dates—but of the contents

of books; and the only sign of failing recollection at any time that I detected was, that he now and then repeated the same thing more than once, forgetting that he had already mentioned it.

Nothing struck me more than the powerful *grasp* he had of almost every subject we discussed, and the strength as well as sound sense of all his remarks.

He might not be a very critical scholar as regards the grammar of the ancient classics, but no one was more familiar with the best writers of Greece and Rome,—or entered more thoroughly into their spirit. He took much interest in the question of Cicero's belief in the immortality of the soul, the affirmative of which he thought was fully proved by the passages in the *Somnium Scipionis,* and *Cato Major sive de Senectute.* I hope I am in some degree competent to form an opinion on the subject, and I am bound to say that I think injustice has been done to his translation of the Crown Oration of Demosthenes. That it is not free from mistakes I readily admit—and these mistakes have been severely criticised; but as a whole, it is a spirited and faithful

rendering of the original. Sometimes he would quote out-of-the-way epigrams in Greek and Latin, some of which I had never heard before.

When I called to mind what must have been the fiery character of his oratory, and the impetuous force of his intellect when he was in the zenith of his strength and power, it was difficult to believe that he was the same man softened and mellowed by old age. He always seemed to me to suggest the idea of the *mitis sapientia Lœli,* rather than the *Impiger, iracundus, inexorabilis, acer*—Achilles, such as I had imagined him before I knew him. I can aver with perfect truth that during the whole course of my long and intimate acquaintance with him, although he always spoke as he felt, strongly, I never heard him say an ill-natured thing of anyone.

He had heard Pitt speak—sitting, if I recollect right, under the gallery of the House of Commons—but he told me that he thought Erskine the finest orator he had ever listened to.* He had the highest

* It will be seen that in one of his letters to me he calls Plunkett the first of modern orators.

possible opinion of Berryer, the great French advocate to whom he introduced me when he visited this country in 1864, and was entertained by the Bar at a banquet in the Hall of the Middle Temple, in the month of November in that year. I said to Berryer, "*J'espère, Monsieur, que vous êtes content de votre reception?*" and he replied, "*Ah! Monsieur, je suis confondu.*"

In the month of October, 1863, after paying a visit to Lord Brougham at Brougham, I accompanied him to Edinburgh with Henri Martin the French Historian, and M. Garnier Pagés, to attend a meeting of the Social Science Congress of which he was President, having been for some time previously Lord Rector of the University of Edinburgh. On the 10th of that month a dinner was given to him at the New Club by the members of the Speculative Society, Scotch Judges, and others, at which I was present, and there were in all thirty-nine at table. I never passed a more thoroughly enjoyable evening, which was enlivened by some capital songs. I need not say that every honour was paid to Lord Brougham, not

only on account of his illustrious achievements, but as the Nestor of the Speculative Society, about which it may be interesting to say a few words.

It was founded on the 17th of November, 1764, by six young men who were then pursuing their studies at the University of Edinburgh, so that when we dined at the New Club it had all but completed its hundredth year. The members were admitted by ballot, and attendance one evening a week was compulsory. The business done was an essay read and criticised, followed by a debate. The choice of the essay was left to the individual taste of the member, but the Society determined the subject of debate. The number of *resident* members was at first limited to twenty, but afterwards enlarged to twenty-five, and strangers were, and I believe still are, entirely excluded. To give a list of the names of all the illustrious men who have belonged to the Society would occupy too much space, but I may mention particularly those of Alexander Tytler, Lord Woodhouselee; Professor Playfair, Lord Chief Commissioner Adam, Dugald Stewart, Lord Glenlee, Lord Eldin, General Sir

Thomas Maitland, Sir James Mackintosh, Benjamin Constant, Charles Hope, Malcolm Laing, Sir Walter Scott, Lord Jeffrey, Lord Brougham, Francis Horner, Lord Cockburn, the late Marquis of Lansdowne, Professor Wilson, and Sir William Hamilton.

Sir James Mackintosh says, "When I was in Scotland in 1801, Constant was a Tribune in France, Charles Hope Lord Advocate, and Emmet his former companion, a prisoner under his control! My first speech was in the Speculative Society. It was against the Slave Trade which Dr. Skeete, a West Indian physician attempted to defend."

At a dinner given in 1834 to celebrate the seventieth anniversary of the Society, Lord Jeffrey proposed the health of Lord Brougham and said, "The high talents and extraordinary powers which the individual to whom I allude brought into public life, early arrested the attention of the country. But they who ascend into high places cannot hope to escape unscathed by the lightnings, unruffled by the storms which prevail in those exalted regions. In the wars of the giants, heavy blows must be given

and received. It is not, however, in this more imposing character that I now beg to offer to your notice the name of Henry Brougham. I wish you to consider him now as one of the brightest ornaments of this Society, and still more as the unwearied and distinguished friend from his youth up to the present day of education, literature, of science, and of general instruction . . . . . During this long period of thirty years, he has never for an hour rested, or paused, or turned aside from the great task to which his life has been devoted, and for his efforts in which I know that he is most desirous to be remembered . . . . . I cannot propose Lord Brougham's health without recalling to my own recollection, and to that of some present, the effect which his early appearances had upon this Society—the admiration excited by the versatility of his talents—his fertile and exhaustless fancy—his power of illustration—his intrepidity, and even apparent rashness in encountering all subjects which proved in the end to be but the instinctive consciousness of power—and that ardent and somewhat ferocious eloquence with

which he scorched and blasted and overthrew all who dared to give him battle—"

The first subject of debate which was opened by Mr. Brougham in the Speculative Society was in 1798, and the question was, "Ought the King to have the unlimited power of Creating Peers?" This was negatived by a majority of two, the numbers being eight for and ten against the affirmative of the proposition. Other questions which he brought forward were—"Are parties of advantage in a free State?" and "Ought Great Britain to interfere in the affairs of the Continent?" which was carried by a majority of seven to four.

It is curious to see what an immense variety of subjects has been ranged over by the Society during the century of its existence. It began at first with such questions as these—

Whether does a married or a single state tend most to promote virtue?

Have Romances been upon the whole of advantage or of hurt to mankind?

Is any faith to be given to dreams ?

Can the characters of men be known from the features of their faces ?

Is duelling allowable by the laws of Nature ?

Does the mind always think ?

Whether is friendship or love the nobler passion ?

Whether is that modesty which is the characteristic of the fair sex natural to them or acquired by Education ?

Is it consistent with our ideas of the Deity that Eternal punishments should be inflicted for temporal crimes ?

Does matter exist ?

Ought the Royal Family of Great Britain to be allowed to submarry with subjects ?

—but after the outbreak of the French Revolution the subjects became more often and more decidedly political, and I find constantly occurring such questions for debate as these—

Ought the Test Act to be repealed ?

Ought the Peerage to be limited?

Ought there to be an Established Religion?

Ought there to be a Parliamentary Reform?

Can any circumstances justify a suspension of the Habeas Corpus Act? (Carried unanimously in the negative.)

Are her Colonies of advantage to Great Britain?

Ought Members of Parliament to act by orders from their Constituents?

Ought Bishops to have a seat in the House of Peers? (Carried unanimously in the affirmative.)

Ought honours to be hereditary? (Carried in the affirmative by a majority of 6 to 2.)

And the question of "Woman's Rights" was not forgotten; for so early as in 1796 one of the subjects discussed was—

Ought the female sex to be excluded from literary professions and public offices?

The last time I saw Lord Brougham was when I called to say Good-bye to him in Berkeley Square, on the morning of the 11th of November, 1867, as he

was on his way from Brougham to Cannes, where he had a house called Chateau Eleanor et Louise, after his deceased daughter. When the servant opened the door he told me that Lord Brougham would not recognize me, but begged me to go in and see him. He then opened the door of the dining-room and I saw Lord Brougham sitting in an arm chair near the fire. His hair was white as snow, and so were his shaggy eyebrows. I did not like to advance, for I was painfully conscious that he no longer knew me, as he made no sign of recognition, but continued to stare fixedly at me without moving. I turned away with a presentiment that I should never see him again in this life, and a few months afterwards the news of his death at Cannes reached England.

All who have corresponded with Lord Brougham know what an extraordinary hand he wrote. Even to me, familiar as I am with it, some words are hopelessly illegible, and I have been obliged to leave blanks for them. I have heard it said that there was only one compositor in London who could print from his MS. One peculiarity is the constant

omission of vowels and the use of a kind of shorthand for many words, the meaning of which can only be guessed from the context. But as no description could give an adequate idea of its character, I have printed two or three *fac-similes* of his letters, and I think the hieroglyphics will puzzle most readers.

W. FORSYTH.

61, RUTLAND GATE, S.W.,
Dec., 1871.

[illegible]
22 June 1858

My dear Hortensius

Will you excuse me for only your acceptance of a copy of my works which I wish I could make a little less unwithy of your receipt it, by giving the large & illustrated edition — but it is out of print & I can only get a copy of one volume which I send as

a sample & shall
add the four others
as I can fetch them
up — Believe me to
be sincerely
H. Brougham

I fear you will find
great deficiencies in
the Roman Creatures
Rhet. & Pol. Deputates
The Greek is somewhat
more elaborated

LORD BROUGHAM'S LETTERS TO MR. FORSYTH.

4, Grafton Street,
22 *June*, 1858.

My dear Hortensius,

Will you excuse me for asking your acceptance of a copy of my works, which I wish I could make a little less unworthy of your receiving it, by giving the large and illustrated edition—but it is out of print, and I can only get a copy of one volume, which I send as a sample, and shall add the four others as I can pick them up.

Believe me to be,
Sincerely yours,
H. Brougham.

I fear you will find great deficiencies in the

Roman Orations, Rhet. and [*word illegible*]. The Greek is somewhat more elaborated.

The following accompanied a present of two of Lord Brougham's addresses.

BROUGHAM,
16 *Nov.*, 1858.

CARE MI HORTENSI,

Accipe, sed facilis et æquus, si non benigno animo hasce oratiunculas—leves quidem et parvi si per se spectantur momenti, et non ob argumenta. Nonne mirum quod Galli ephemerides non ausi sunt etiam proferre nomen Newtoni, multo minus imprimere opusculum, ob maledicta in tyrannos, pag. 16, 2, et quum promulgant alteram pag. 33, solum (?) supprimant.

Vive vale,

H. B.

The discipline of the French Press is truly remarkable. But it will be tried too high.

Brighton
16 Nov 1868

Care Mr Hortensi

accipe

sed facilis, et aequus, si
non benigno animo pasce
evatiunculas - leves quidem
o partes si per se spec-
-tentur momenti - et
non ob argumenta
nonnemiorum quod
Galli Ephemerides non
ausi sint etiam propere
multo minus imponere opusculum
nomen Newton, ob
maledicta in tyran-
-nos sublimatores
pag. 61.2. & quum

promulgaunt after an
pag. 33 solum supperaret
erue vale
H. Brougham

The disappearance of the
Mark Pass is
truly remarkable —
But it will be
Mad too lyh —

To which I sent the following Latin answer.

GULIELMUS FORSYTH DOMINO BROUGHAM,
VIRO HONORATISSIMO, S. P. D.

Me quam maxime devinctum habes, Domine illustrissime, propter donum gratissimum quod hodie accepi. Conciones tuas nuper habitas perlegi, sed perlegam iterum, atque inter manus sæpius versabuntur. Quid dicam de talibus Eloquii exemplis? Immo, ut verbis Poetæ utar,

—decies repetita placebunt—

Haud mirum est quod Tyrannus iste qui Galliæ libertates profligavit et militum gladiis etiamnum opprimit, defensoris libertatis vocem reformidat. Philippus, Rex ille Macedonum, Oratorum Atheniensium exilium flagitavit. Silentium Iste, quem scis, pacem appellat.

Prolusio quædam a me scripta cui titulus est "The Criminal Procedure of Scotland and England," in libello trimestri qui dicitur *Edinburgh Review* nuper in lucem prodiit, et fortasse oculos in opus-

culum nostrum conjicere horâ subsecivâ haud gravaberis. Si studiis nostris faves gaudebo.

Vale Domine Honoratissime.

Scribebam TEMPLO LONDINI,
a. d. XIV Kal. Dec. CIↃIↃCCCLVIII.

BROUGHAM,
20 *Nov.* [1858].

MY DEAR MR. F.,

I HEARTILY thank you for your kindness in letting me know to whom I have been indebted for the great pleasure of reading that most able and important paper in E[dinburgh] R[eview].* I go along with all, or almost all of it, and I greatly rejoice that you have laid so deep and solid foundation for, I hope, immediate legislation—in so far as legislative remedy is required—for I have

* This alludes to an article I wrote in the October 1858 number of the "Edinburgh Review," on the subject of Scotch and English Criminal Procedure.

always maintained that the introduction of Public Prosecutors in England may be effected gradually at first, that is, by pursuing the plan which you will find described in my evidence before Phillimore's Committee, of a counsel regularly employed by the Treasury at the Central Criminal Court; and then extending this to other counties by Act of Parliament. It was on the point of being tried when our Government went out in November, 1834.

Believe me,

Most sincerely yours,

H. BROUGHAM.

CANNES (VAR),

CH[ATEAU] EL. LOUISE,

21 *Dec.*, 1858.

MANY thanks, my dear Mr. F. for procuring me so agreeable an acquaintance as Miss Douglas. Unfortunately she comes at a time when the only one of our ladies yet arrived is confined with the measles. But I expect the rest in a few days, and they will

agree with me that our society has now made a valuable acquisition.

The extraordinary rains having passed away, we now have our usual fine weather, though for want of the sea breeze at this season we find the sun more powerful than in summer—that is, during four hours of the day.

I have just had a very gratifying address from Edinburgh—not merely personally gratifying—but in a very important particular—its indication of the prevalence of liberal principles NOW. It is signed by the Provost and all the Magistrates—but also by most of the Professors and by men of all parties—among others, the Lord Advocate, who I take for granted is the leading Conservative, and the Dean of Faculty the leading Whig. And it proceeds upon my devotion to the cause of civil and religious Liberty and to progress generally. Now this never could have happened some years ago—and it demonstrates how universal liberal principles are now become. I assure you I was more touched with this than even with the personal kindness of the address

and invitation, which I don't see how I shall be able to fix a day for accepting, as I must be in London at the meeting, and the illness in the family will make it hardly possible for me to be there till close upon the meeting of Parliament.

I wish I could give you as good an account as I wish of the state of this unfortunate, not un-blameable people. They have really by their follies, and their caring so much more for equality than liberty, reduced themselves to be the objects of compassion, as I won't say hugging—but very cheerfully wearing —their chains. They set off order and quiet against slavery, and affect to think all is well. But will it give the proof by ending well?

Believe me ever,

Dear Hortensius,

Sincerely yours,

H. BROUGHAM.

I have just had a letter from that excellent man W. Brown (M.P. for Lancashire), enclosing such a picture from his brother in America of the conse-

quences of universal suffrage as would frighten even Bright.

CANNES (VAR),
15 *Jan.*, 1859.

Private.

MY DEAR MR. F.,

I AM exceedingly obliged to you for your kind letter, which I received a few days ago. The state of things in this country continues to be rather uneasy, owing to the *follies* of certain persons, and I only hope the *delirant* may not be followed by the accustomed *plectuntur.** The speculation of getting a little popularity with the liberals and the army in Italy is as shallow a one as can well be imagined; and, as he will very soon find that it will lead, and at once, to a general war, I cannot conceive it being persisted in. Indeed, but for this marriage with the Sardinian Princess, I should have thought the fancy already at an end. But one of

* Quicquid delirant reges plectuntur Achivi.

Private

Camden (Ken)
15 Feb 1859

Dear Mr F. I am greatly obl'd to you for your kind letter which I read two days ago. The State of Ths in this county continues to be rather uneasy owing to the follies of certain persons and I only hope the delirant - may not be followed by the accustomed plectomitis - The speculation of getting a little popularity with the liberals & the army in Italy is as shallow a one as can well be imagined and as he will very soon find that it must lead & at once to a general war - I cannot conceive it by pointed in - Mild but for this marriage with the Lindsay in Prussia I should

have tyd the fancy alienated
an end. But one of the most
numerous of a sort which has
to check, or worry, from with
Paul or publick from, is
that without ~~intrig~~ meaning it they go
into scrapes from which it
is not alys easy to escape.
The fact is certain of great effect
in Italy - and more general than
I had supposed any the Lombard
cannot at any time than in 1848,
and also great desire in Pied-
-mont, both of the governments
people to interfere. They are
however quite aware that
they can do nothing without
Francis and thus Francis
will have to resist the
temptation or to prepare
for war with Austria
that really means a general
war

It is more easy said than
done, that Eyled has only to
stand by and see all the
Continent at war. That Ann-
-ica is prepared - there can be
no doubt. Not up she is mainly
large bodies - but she is ready
to support them, further - In
Home there may be no more-
-ment of troops because the rail-
-ways make that easy at a
days notice - but there are
magnificent fine and some
arrangements as to the guards - which
show that there is a belief
at head quarters in the possi-
-bility of security - However
I do not think it will
end in any thing at least
for the present - No one
can tell how far we are
gambling in the funds may
have to do

such things as the late silly vapour
on the Bay. I dont mean that
the man himself has any thing
do with such peculiarities but he
is surrounded by those who have
& who may get him on great
other grounds to help their
schemes — If you see your
man Nightbin remember me
kindly to him & tell him
what I have said above as to
Irish interests — because when
I write to him I did not tell
on them — Dont be surprised when
you see that by unable to attend
the Burns Celebrate I write a
few pages of practical improve-
-ment — on Parish School edn.
and in behalf also of the
Scotch language which I deny
to be either Barbarous, a Solecism
any more than the Doric, as
the Aeolic — indeed less than the
latter yrs. in sincerity
H. Brahan

the many mischiefs of a Government which has no check or *warning* from either Parliament or public opinion is, that, without meaning it, they get into scrapes from which it is not easy to escape. The fact is certain of great excitement in Italy, and more general than I had supposed among the Lombards—considerably more than in 1848-9—and also great desire in Piedmont, both of the Government and people, to interfere. They are, however, quite aware that they can do nothing without France, and thus France will have to resist the temptation, or to prepare for war with Austria, and that really means a general war. It is more easily said than done that England has only to stand by and see all the Continent at war. That Austria is prepared there can be no doubt. Not only she is [*illegible*] large [*illegible*] but she is ready to support them further. In France there may be no movement of troops because the railways make that easy at a day's notice, but there are magazines forming, and some arrangements as to the Guards, which show that there is a belief at head-quarters

in the *possibility* of something. However, I do not think it *will* end in anything, *at least* for the present. No one can tell how far mere gambling in the funds may have to do with such things as the late silly vapouring (?) on the 1st January. I don't mean that the man himself has anything to do with such speculations, but he is surrounded by those who have, and who may get him on quite other grounds to help their schemes. If you see your near neighbour, remember me kindly to him, and tell him what I have said above as to *French movements,* because when I wrote to him I did not touch on them.

Don't be surprised when you see that, being unable to attend the Burns celebration, I wrote a few pages of *practical improvements* on Parish School Education, and in behalf, also, of the Scotch language, which I deny to be either Barbarian or Solæcism (?) any more than the Doric or the Æolic —indeed, less than the latter.

Yours ever sincerely

H. Brougham.

[*Written inside the envelope.*]

I don't at all wonder at your refusal of Calcutta, for, splendid as it is, the price of ten, or even seven years' severance from family, is too high to pay.* Surely the Tory Government patronising reform, if they do, is a parallel of the French supporting the liberals in Italy, if they do.

BROUGHAM,
10 *Augt.*, 1859.

MY DEAR HORTENSIUS,

I MAY truly say, "*quem semper in deliciis habeo*"—for I recreate myself continually with the perusal. The last time I enjoyed this gratification (yesterday) I observed one or two things which had before escaped me, and which I now note. I hold you quite wrong in your censure of Target (p. 313, and elsewhere). Beside the arguments I have

* This alludes to my having declined the offer of the Chief Justiceship of Bengal.

urged in his defence, in my Chapter on the French Bar (Statesmen, iii.), I am pretty confident that Chauveau (whom I knew and with whom I used to have much discussion) acquitted Target, though I know there is a division of opinion on the subject.

I wish to mention to you, in reference to what you discuss in Chapter X. on the duties and rights of an advocate, and where you refer to what has been so often the subject of dispute—my statement in the Queen's case. The real truth is, that the statement was anything rather than a deliberate and well considered opinion. It was a menace, and it was addressed chiefly to Geo. IV.—but also to wiser men, such as Castlereagh and Wellington. I was prepared, *in case of necessity*, that is, in case the Bill passed the Lords, to do two things—first, to resist it in the Commons *with the country at my back;* but next, if need be, to dispute the King's title—to show he had forfeited the Crown by marrying a Catholic, in the words of the Act, "as if he were naturally dead." What I said, was fully under-

stood by Geo. IV.—perhaps, by the Duke and Castlereagh—and I am confident it would have prevented them from pressing the Bill beyond a certain point.*

Believe me,

Ever sincerely yours,

H. BROUGHAM.

* When at the Berryer entertainment in the Hall of the Middle Temple, in November, 1864, Lord Brougham spoke, he said, alluding to Erskine, that "the first great duty of an advocate is to reckon every thing subordinate to the interests of his client." But when it came to the turn of Lord Chief Justice Cockburn to address the assembly, he declared what I am sure is the right doctrine, and in which Lord Brougham also must have agreed, "that the arms which an advocate wields he ought to use as a warrior, not as an assassin. He ought to uphold the interests of his clients *per fas*, but not *per nefas*. He ought to know how to reconcile the interests of his clients with the eternal interests of Truth and Justice." I well remember how this eloquent burst was applauded.

WHITBY,
26 *Augt.*, [1859].

MY DEAR HORTENSIUS,

YOUR letter followed me here, so I dare say you are back in London, and have left Liverpool . . . . . and you will have time to make up your mind on the certainty—or at least the great probability of your undertaking the very important and much wanted work. If I can obtain a copy of the Pol. Phil. (which is out of print), I will send it as the best contribution I can make towards your plan; and when I return to Brougham, I will have a chapter of the unpublished part copied, as it bears upon your subject.

Yours ever sincerely,
H. BROUGHAM.

I have some difficulty in avoiding meetings and addresses from my old Yorkshire *Constituents.*

WHITBY,
31 *Augt.*, [1859].

CARE MI HORTENSI,

YOU may rely on your name being suppressed; but I know the want of attention which attends a statement without a name.

In the place where my Newton Monument discourse was composed last autumn, I have been led to reflect on the national disgrace of no monument having ever been raised to him, for the one in Westminster Abbey was erected by the family; and the Grantham statue was by a private subscription. I much wish you would urge on our good friend . . . . . and to take occasion to reproach this country with the neglect. I had letters from Paris last autumn asking whether it was possible that there should have been none.

I also have a wish that my discourse should be known, which it has not been, owing to the recondite nature of the subject.

But it is important as giving for the first time a

summary of the consent of all men of science, and especially of the great *Frenchmen* to Newton's immeasurable superiority. This they do not like to have made plain, and I therefore took care to *name* the men who joined in this confession. At first they ignored the discourse from its attack on Tyrants, meaning Napoleon I., and possibly Napoleon III. also. But since that it has been translated with judicious, because prudent, omissions; and then the national feeling has continued the *ban*.

Yours most sincerely,

H. BROUGHAM.

L. N. really deserves credit for his amnesty. It is the very best thing he has done; but as it is so good in itself one cannot grudge him the benefit of it.

To explain the next letter, I must mention that during the autumn of 1859 I suffered severely from depression; and having, while staying in France, read a passage in Lord Brougham's "Lives of Men of Letters and Science in the reign of George III.," which seemed to describe a case very similar to my own, I wrote to him, and asked if he could give me any further particulars which might be of use to me. I immediately received the following answer, and discovered, to my great surprise, that Lord Brougham had, in the passage referred to, been describing himself. It will be found in the essay on Dr. Johnson, and is as follows:—

"Nor must it be forgotten that to these miseries, the general lot of the literary man's life, was added in Johnson's the far worse suffering from his constitutional complaint, a suffering bad enough in itself, if the companion of ease and of affluence, but altogether intolerable when it weighs down the spirits and the faculties of him whose mental labour

must contribute to the supply of his bodily wants. The exertion, no doubt, when once made, is the best medicine for the disease; but it is the peculiar operation of the disease to render all such exertion painful in the extreme, to make the mind recoil from it, and render the intellectual powers both torpid and sluggish, when a painful effort has put them in motion. I speak with some confidence on a subject which accident has enabled me to study in the case of one with whom I was well acquainted for many years; and who either outlived the malady, which in him was hereditary, or obtained a power over it by constant watchfulness, diligent care, and a fixed resolution to conquer it. As in Johnson's case, it was remittent, but also periodical, a thing not mentioned of Johnson's, for in my friend's case, it recurred at intervals, first of six months, then of a year, afterwards of two and three years, until it ceased; and the duration of the attack was never more than of eight or ten months. It seemed wholly unconnected with bodily complaint, though it appeared to interfere with the

functions of the alimentary canal; and it was relieved by strict attention to diet, and by great temperance in all particulars. There was, as in Johnson's case, no kind of delusion, nor any undue action of the imagination; but unlike his, it was wholly unattended with apprehensions or fears of any kind. There was also no disposition to indulgence of any kind, except of sleep; and a particular aversion to the excitement of fermented liquors, the use of which, indeed, never failed to exacerbate the malady, as Johnson, too, from his confession to Mr. Boswell, appears to have found, after trying them in vain to alleviate his suffering. The senses were not at all more dull than usual, and there was as much relish both of physical and mental enjoyment. But the seat of the disease being in the mind, and in the mind wholly, independent of, and unaffected by, any external circumstances, good fortune produced no exhilaration, afflictions no additional depression. The attack commenced sometimes suddenly, that is, in a few days, and not seldom was foretold by dreaming that it had begun. The course was this. The active

powers were first affected, all the exertions of the will becoming more painful and more difficult. This inertness next extended itself and crept over the intellectual faculties, the exercise of which became more distasteful, and their operations more sluggish; but the results, though demanding more time, were in no respect of inferior quality. Indeed the patient used sometimes to say that when time was of no importance, the work was better, though much more painfully done. The exertions resolutely made and steadily persevered in, seemed gradually to undermine the disease, and each effort rendered the succeeding one less difficult. But before he became so well acquainted with the cure, and made little or no exertion, passing the time in reading only, the recovery took place nearly in the same manner as afterwards, under a more severe regimen; only he has told me that to this regimen he ascribed his ultimate cure, after obtaining a constantly increasing prolongation of the healthy intervals. The recovery of the mind's tone always took place in the reverse order to the loss of it: first, the power returned

before the will, or the faculties were restored to their vigour before the desire of exerting them had come back."

Private and Confidential.

BROUGHAM,
Sept. 13, 1859.

MY DEAR FRIEND AND FELLOW-SUFFERER,

FOR I am myself the person alluded to. Your account is a shade worse than mine. You don't say if it occurs periodically. For many years, until it wore itself out (partly by discipline), it occurred the odd years 1801, 3, 5, 7, &c. In 1821 it suffered some change, and was transferred to the even years 1824, 6, 8, 30, 32; of late years it has not been considerable except, perhaps, 1840. It may show how little the disease affected me, except by making exertion more painful, that even in speaking, I was up to my work for [*illegible*] 1824 and 1828. Excuse the prolixity of these details, to which I will add that if

the alternative had continued last year, I should not have done what I did with so little suffering.

I quite agree in your view of the change of sense in words, and the position is fruitful; I may trouble you upon it hereafter. But apropos of τυραννοι. Have you seen the example of the faculties of men being reduced to the lowest pitch in Baroche? An ex ultra-Republican making that speech is truly portentous, and pronouncing the eulogy of an infant of three years old! I have written to my friend Fould, expressing the difficulty I had in retaining my breakfast after reading it, and begging him to tell the Empress (with whom he is) that I might have saved the expense of an emetic, and that I hope I shall not be sent to Cayenne for saying so—but adding that if the Baroches would only follow the example of L. N. (who is to be pitied as he must suffer under such inflictions), they would at least never fall into such vile absurdities. I shall let you know what answer (*rescript*) I receive.

The Italian complication is still great; but I fear there is double dealing towards *us* also, for I hear of

preparations by sea, and surely the Press might be prevented from preaching up war with England. As for liberal measures to [*illegible*] Berryer and Broglie hold this impossible, as they believe L. N.'s Government could not last a month if there were free discussion. . . . . .

You are the first person I have ever told my secret. When I talk of your coming here, I mean *you* and *yours*.

[*This letter is not signed.*]

26 *Sept.*, 1859.

I DON'T date this further, as letters may be opened between here and the Eternal City. I think you do right to take this opportunity of seeing it, and I hope another year you may not find it so easy, for. . . . . .

. . . . . .

I told him that my suggestion was made not only without the least communication with you, but absolutely without your knowledge, and without your

having or being able to have the least suspicion of my having written. Many thanks for the *Débats*, which I received the same day with your first letter mentioning Zurich. Babinet's article is too kind by much, but it is very gratifying, as his learning on all scientific subjects is great. What pleases me most, however, is his attack on England for never having raised a National Monument to Newton, and his unbounded praise of that first of men. I quite agree with you on French Judicial Procedure, and the trial in the *Journal des Débats* is a striking and scandalous illustration. It even goes beyond the early abominations of that practice.

Yours most sincerely,

[*Not signed*].

CANNES (VAR),
CH. EL. LOU.
30 *Dec.*, 1859.

MY DEAR FRIEND,

. . . . . .

. . . . . THE *army* is going on *cheerily* to all appearance. I hear a report from London of a conversation in which L. N. made Cobden believe that all France, except himself, was against England, and for an invasion. This is only his usual *love of truth;* but C., it is said, was so much alarmed as to tell Palmerston that he would support all votes for armament.

I have a letter from Florence, which mentions a dictum there current—

"si tace, *conspisce;*
si parla, *mentisce;*
sempre *tradisce.*"

But whether he will or no, this last proposal of [*illegible*] must have a certain success. I find our

poor friend . . . . . died in the bosom of the R. Catholic church. He had been converted in early youth at Genoa on a promise to keep it concealed till his death-bed. You will observe he never had a seat in Parliament until *after* the Catholic Emancipation, so there could be no fraud.

What say you to the . . . . . , with *perfect respect,* comparing L. N. to a *rattlesnake?* He will like this as little as my speech on Satan, which he was stupid enough or touchy (?) enough to fancy meant him, as if he had been in the Garden of Eden where part of my scene was laid.

Yours ever most sincerely,

H. BROUGHAM.

. . . . . He made a will the day before he died, leaving everything to . . . . . in whom he expressed entire confidence. Qu. Whether the *Scotch law of deathbed* is not a right one?

Dear Horton

Le Graphical
Thursday May

I go on
Saturday May lower the
sun & any further
fig — & the first, but
it would give next —
— terms of I didn't
see you before I go —
I dine today with
Pannerri at the B. Mus
— sum & any Gladstone
is to meet me — I am

on such terms with
P. that I can take
you — Have you any
objection? If you have
can you make it
at all convenient to
yourself to come here
tomorrow Mrg before
eleven — or shall I
find you at home &
disengaged about three?
My hours are —
all numbered & filled

Lear my city is so hot —
But I must hesitate
see you one way
a another before
sailing when we
start at 10 A.M.
Yours truly
H. Brooks

4, Grafton Street,
Thursday Morning.

Dearest Hortensius,

I go on Saturday morning [*illegible*] and away from the fog and the frost, but it would grieve me extremely if I did not see you before I go. I dine to day with Panizzi at the B. Museum, and only Gladstone is to meet me. I am on such terms with P. that I can take you. Have you any objection? If you have, can you make it convenient to yourself to come here to-morrow morning before eleven, or shall I find you at home and disengaged about then?

My hours are all numbered and filled here; my stay is so short. But I *must* positively see you one way or another before sailing, when we start at 10 a.m.

Yours most sincerely,

H. Brougham.

4, Grafton Street,
Wednesday Evening.

My dearest H.,

I send you in another cover tickets for the Soirée of Saturday (which they say is to be worth seeing), and for the opening of the Congress to-morrow (Thursday) evening, in case you and Mrs. F. have any curiosity to attend.

Yours most sincerely,

H. Brougham.

4, Grafton Street,
Saturday.

Dearest H.,

As they are apt to be priggish at such places, I think it much better to have the fair Hortensia's card, which I have got and enclose.

Yours most sincerely,

H. B.

Private.

4, Grafton Street,
5 *July*, 1860.

My dear Hortensius,

Many and hearty thanks for the pleasure you have given me of reading the very interesting and *important* article.* I may have a remark or two to trouble you with upon some parts of the subject. I can never enough be grateful to you for your great kindness on former occasions. Your appreciation of my speeches I cannot forget—especially when I have since found that from party or possibly from personal feelings, by far the best of them all (the Grantham Address) has, in all quarters, been *ignored* (to use the fashionable and un-English phrase)—a thing which I really do not so much regret on my own account (very far, indeed, from it)

* This alludes to an article I wrote in the *Edinburgh Review* (Jan. 1860), on the "Progress of Legal Reform."

as because that address has not been the means, as I hoped it would have been, of rescuing the country from the disgrace of raising no national monument to the most illustrious man that ever appeared among us.

Believe me,

Sincerely yours,

H. BROUGHAM.

BROUGHAM,
Thursday,
[*Aug.* 20, 1860].

MY DEAR MR. F.,

I HOPE and trust you may come round this way from Liverpool. I am sure to be here till Monday, and, if I knew you would come on that day, I could stay over Tuesday.

You are out in your law on the R[oyal] Family Marriage Act. The *attempt* is prevented by the forfeiture—and so it is in other cases. If tenant for life makes a feoffment in fee, the deed is not

worth the paper it is written on, but the estate is forfeited—and so would the remainders expectant upon it, but for trustees to preserve them. It is the same in Scotch law. An heir of entail under a strict settlement (that is, framed with the clauses irritant and resolutive), if he contravenes, forfeits his own interest. There being no remainder in Scotch law, the estate goes to the next heir of entail and is not lost. Just so the R. F. Marriage Act made the marriage without consent null and void, but it worked a forfeiture.

This was once discussed, as T. Moore's Memoirs (published by Lord J. Russell) have recorded, at dinner at Denman's; Williams and I being present, and I believe Tindal also. C. Butler, too (Denman's old monitor), was there, and the subject was broached and the objection taken and at once *pooh pooh'd,* by C. Butler as well as myself. T. Moore's account, I dare say, is quite accurate (I never read it, having an abhorrence of such an unlawful work), but in one particular he has misrepresented. He makes C[harles] B[utler] ask, "Then why did you not

prove it?" and me or Denman answer, "Because we had no witness." Now we had Mrs. F[itz-herbert's] nephew, H. Errington, in the next street. He might have refused to answer on account of the penalties, but that was enough for us.

Yours ever,

H. B.

I AM quite shocked to have omitted an answer to the most interesting part of your letter—the announcement of your projected work. It is very much wanted indeed, and the ground almost wholly untrodden. I can speak to this, having had occasion to go over some portions of it in preparing my Pol. Phil[osophy], and more especially in the part still unpublished, *i.e.*, the *functions* of Government, the [*illegible*] being in the published volumes.

Yrs. ever,

H. B.

BROUGHAM,
24 *Dec.*, 1860.

MY DEAR HORTENSIUS,

I HAVE received your kind letter, and fear you may not find the book worth reading so much as you expect . . . . . There is in the Political Philosophy a much more difficult subject dealt with, and on which I certainly bestowed great pains, both in England and on the Continent—I mean the *Italian* Governments, and, if the Italians would examine the subject and think for themselves, they might profit by it. That, however, is quite out of the [question]. But is there not somewhat of the same difficulty in teaching our countrymen the subject of their own Constitution ? . . . . Books are very cheap and newspapers cheaper, and men are so indolent that they rather hand over to others the trouble of thinking for them. You even see how few will take the trouble of reading in the newspapers the report of a debate. They prefer reading

the Editor's summary, and chiefly the leading articles. To be sure, it may be said there are papers of all sides—so there are. But, to take an example from my book. The necessity of an Aristocracy is dwelt upon and the evils of mob tyranny. The radical penny papers circulate 75,000 a day . . .

. . . . . .

That paper is sure either to suppress all mention of the subject, or to misrepresent what is said, and to attack it; and no paper will answer such attacks, for you may observe that even . . . . and affecting to despise the penny papers, has no small apprehension of their power and influence with a large class, though *not* of *their* readers.

Believe me,

Sincerely yours,

H. Brougham.

One foot of snow and 27 degrees of frost this morning.

BROUGHAM, PENRITH,
6 *Augt.*, 1861.

MY DEAREST HORTENSIUS,

YOUR refusal of so great a thing is very satisfactory, and will . . . . But indeed you had before refused a higher place.*

I rejoice both in the tender and the refusal. Now you are, perhaps, aware that I am due in Dublin for a week, and it may be extended to ten days, in order to see Killarney, for I have positively refused all other engagements. This makes me absent from home from the 12th to the 24th or 25th. But, though I should be back at the close of your circuit, I wish you to consider this. If you can come here before the 12th, say on Friday or Saturday, you would only find the Duke of

* This refers to my having declined the offer of the post of Legal Member of Council of India, made to me by Sir Charles Wood (now Lord Halifax), who was then Secretary of State for India. I had previously declined the Chief Justiceship of Bengal.

Wellington, who accompanies me to the Congress (Dublin), and you have a train on Monday which takes you to Liverpool early in the day.

Pray consider this, and let me know, that the carriage may be in waiting for you at the station . . .

Yours most sincerely,

H. BROUGHAM.

Private and Confidential.

CH[ATEAU] EL. LOU.
(CANNES, VAR),
17 *Nov.* [1861].

CARISSIME MI HORTENSI,

I WOULD fain have from you a reference to the passage where Cicero mentions his Tullia or Tulliola—in connexion with a plan he had of building a temple to her and making her worshipped.

I want to see what he says, and have no recollection of the passage, and even doubt if it exists. I have suffered for above twenty years the same cruel

bereavement, and I many years ago (fifteen or sixteen) made a kind of monument to her I had lost, by making her the heroine of a Philosophical Romance. When it was printed in three volumes—having no blasphemy and no obscenity in it—I plainly saw it would have no readers . . . I showed it to two or three persons, and they afforded another reason of non-publication, by mistaking grossly the characters—supposing persons the most opposite to be the ones meant—as T. Macaulay to be a person caricatured, as carrying *mathematics* to excess, who did not know a [*illegible*] of them; that a circle is not a square; but, because the person was represented as a great bore who talked people to death, they fancied it was my friend Tom, and so of others. I need not add how exclusively this is for your own eye . . . .

Yours most sincerely,

H. B.

Private and Confidential.

CANNES (VAR),
CH[ATEAU] E. L.,
23 *Nov.* [1861].

MY DEAREST MR. F.,

I HAVE just received your letter. A thousand thanks for the full references. There are Ciceros here of all kinds, and a very full Ernesti with indexes. You misunderstood my mention of the Romance. It never was published at all—but one or two copies got out, which were afterwards bought up. Among others to whom I lent it, were Lyndhurst and Croker. The former is called *Chapeley* in the book, the latter [*illegible*], and Croker used always to sign [*illegible*] after he had read it. I got both the copies back from them, and the one to Rogers—to whom it was dedicated—I got at his death from his executors. I have one copy, and will lend it to you when I return. The rest of

the 1000 are all locked up and sealed in a cellar. The title was * . . . . . .

Many thanks for your suggestions as to autobiography, which I believe are quite well founded.

. . . . . You do quite right to suppress all idea of the present occupation of your *horæ subsecivæ.* Nothing is more dangerous in our profession than an *extra viam.*

I learn from Paris that Fould has arranged all about L. N., and probably the army will not [*illegible*] the necessary seduction. But he has done *quite right.*

Yours ever,

[*Unsigned.*]

* I think it right to suppress the name, as Lord Brougham was so desirous that no copy should get into circulation. It was a Novel in three volumes, and is an additional proof of the extraordinary versatility of his powers.

. . . . .

CANNES (VAR),
CHATEAU,
18*th Dec.*, 1861.

MY DEAREST HORTENSIUS,

. . . . . IF a copy of the περὶ στέφανου cannot be got, I will send you the one I have, but I don't like to trust it to the post, as there are MS. notes which I cannot replace. I therefore will keep it till I have a safe opportunity, or I will bring it over when I return, which I fear this American mob insanity may compel me to do far sooner than I could wish. If a copy is sent by Ridgway, to whom I have written, recollect it is p. 124 and 5, to which I referred about Cicero.

This is a sad event [the death of the Prince Consort] and owing, I really believe, to . . . . The Queen was thunderstruck when Palmerston said the illness was *serious*. She said she thought it was a cold; and I had a letter from a *Countess* two hours

before the telegraph of the death, saying the gastric fever had become typhus *without* any danger!

Yours most sincerely,

H. B.

GRAFTON STREET,

January, 1862.

MY DEAREST H[ORTENSIUS],

I SEND you what I promised. Some characters you will easily fix, and . . . . . Agneau as Sir A. Agnew—others may be less easily discovered, but some of the principal ones are fancy persons.

Pray keep it all to yourself most strictly.*

Yrs. most sincerely,

H. B

* This refers to Lord Brougham's *Novel*, which he sent to me.

CH[ATEAU] E. LOUISE,
22 *Jany.*, 1862.

MY DEAREST HORTS,

I RECEIVED your kind and interesting letter yesterday, and lost no time in desiring them to forward me the Q[uarterly] R[eview], as I don't wish to delay, even for ten days, the gratification of reading your article.* From what you say, I believe I go along with you in your estimate . . . . . I fear I even more than agree. If their falsehood and conceit is abominable, their bloodthirstiness is atrocious. It seems as if human life were of less value there than in any country calling itself civilised.

. . . . . .

My Paris accounts represent the Emperor as disappointed at *our* quarrel with them being so soon settled, because he hoped it would have set up the

* This refers to an article I wrote in the "Quarterly Review" of Jan. 1862, on "The American Crisis," in which I proved myself a false prophet.

South. He is certainly most anxious for the *recognition.* His despicable . . . . . who takes part with the North, is very ill.

Yours ever most sincerely,

H. B.

CH[ATEAU] EL. LO.,

29 *Jan.*, 1862.

MY DEAR MR. F.,

I HAVE at length received and devoured, rather than read, the *American Crisis.* It is admirable in all respects whatever. I hardly can tell which part I most admire; and I greatly fear I must agree in all or almost all the practical opinions. That the South must ere long be recognised is plain, and that Canada must be considered as still expected to [*illegible*] from the sudden action of the mob, driving the weakest of Governments into hostile operations, is plain. But I own I go a *little* beyond you in regard to the natural

and almost inevitable end of this in the New World. You most justly show how impossible it has been to expect the Union should exist after a certain time. Don't you think it almost as impossible that Canada should not sooner or later be part of the *no longer United* States? Their disunion may make this event more distant, but come I fear it will. My old friend and monitor (diplomatically) [*illegible*] told Melbourne he had made a great mistake in [*illegible*], in not giving up Canada. "What," said Melbourne, "have you [*illegible*], Quebec?" "No, I took part in that glory with Wolfe; but it is because you never can give it up without disgrace hereafter, which you could have done." The last time I saw him (a year before his death), I asked if he still held that opinion. He said all that had occurred since, fortified him in it; but of course there was no use in repining. It could not be helped. Pray can you learn who reviewed Cornelia Knight? My account of what passed at P[rincess] Charlotte's elopement was published, I think, in 1839, and seen by Lady Charlotte Lindsay and the

D. of Sussex before it was published, and I should like to know on what authority a different account is given in the Q. R. I shall not take the least notice of it if you can obtain the name.

Yours most sincerely,

H. BROUGHAM.

[*Written inside the envelope.*]

Is not the exchange of prisoners a complete answer to the pretext of treating them as rebels?

CANNES (VAR),
CH. EL. LOU.,
12 *March*, 1862.

MY DEAREST MR. F.,

YOU might well suppose I had arrived in London, but the American affair being over by the blessing of Providence, the necessity of my presence at the opening of the Session ceased, and I knew there would be absolutely nothing to do. So I

indulged in the summer here rather than face the winter in the North. As for Law Amendment, I had repeatedly brought forward my plan of Land Transfer, and I thought until the Select Committee sat, there was no use in my for the fourth time explaining the measure, and showing that it gave a cheap and safe method by actual experience, which [*illegible*] showed in his able and learned pamphlet in defence of the plan.

What you say of . . . . . is not surprising. But I well know who *must* be the author or the instigator of the attack, and she shall have to meet her own letters and other evidence against the most vain and intriguing person in the world . . . . . .

I have a good opportunity of sending you the *περὶ στέφανου*, of which I shall avail myself in about a week. You will find the passage marked, to which I referred, about Cicero.

Believe me,

Most sincerely yours,

H. Brougham.

CANNES (VAR),
CH[ATEAU] E. L.,
23 *March*, [1862].

DEAREST HORTENSIUS,

MY brother left this last night and took with him the △. The passage I called your attention to is p. 125.

What a sad scene this appears to have been in the Lords! It really will put an end to our Judicial functions, if such things are repeated. Quarrels of a personal cast among judges in *the last resort* and where decisions are final and supreme, is a consummation not to be borne.

Yours ever most affectionately,

H. BROUGHAM.

CH[ATEAU] EL. LOUISE,
9 *May*, 1862.

MY DEAREST HORTENSIUS,

I SUPPOSE that for a few weeks you will be like all mankind, absorbed in the Exhibition, but I hope on my arrival to find you restored to your equanimity, and also to send what I promised you—the [*illegible*] I raised to my Tullia, and which was at once suppressed when I found from one of the four persons whom I had let see it that the mistakes were so enormous, such as fancying that one character was Macaulay,—a most profound mathematician who played chess on a geometrical theory and a profound lawyer,—whereas, poor Tom M. hardly knew a triangle from a square, and had little or no legal knowledge. It was drawn from a man well known on the N[orthern] Circuit, F. Raincock—a senior wrangler and great lawyer: other mistakes of the like kind were made, though no one could doubt

Croker and Lyndhurst; indeed, the names indicated this, Croosse [or Crooke?] and Chapeley.

Another reason for the suppression was, that a Philosophical Romance without blasphemy or indecency, would have proved wholly unsaleable.

It was dedicated to Rogers, and I got back his copy at his death, as I also did Croker's and Lyndhurst's; and the one I have, I shall *lend* you—trusting to your keeping it secret and returning it. I dare say many years hence some one, when I am forgotten, will dig this up and publish it—but, in the meantime it is a thing utterly unknown . . . . .

Yours ever most sincerely,

H. Brougham.

Private.

BROUGHAM, PENRITH,
20 *July*, 1862.

DEAREST FRIEND,

I HAVE received, and read, and devoured your letter, which has given me very great pain.* I must positively prescribe to you, as I have a right to do, from my own experience. In the first place, there is not the shadow of the shade for your doubt about taking judicial office, on account of the complaint. My entire belief is that the complaint would be relieved by the necessity of exertion. But even if it were not, there is nothing whatever like a *clouding* of the faculties, only a great, possibly a morbid indolence, and which makes exertion painful, and you would be fit for work—that is, reasonably fit—though it might cost you weariness and pain. I don't object to your proposed Swiss Tour, though I hold that an attempt to work, however painful, is

* I was suffering at this time from a nervous attack, which made work wearisome and painful to me.

the best remedy, and the tour might interfere with that, I mean might encourage the indolence in which it is part of the disease to have a strong disposition to indulge. However, you might combine with travelling, some work, not hard, but easy. Anything is better than total inaction; and you may depend on it, the exertion becomes so far medicinal, though painful, that you soon feel its effects.

I had, before your letter arrived, been on the point of writing to you, in consequence of having looked at a very elaborate part of my Political Philosophy, that on the early history of Rome [*illegible*], and because I thought there were some points that might be of service to you respecting Cicero. But I will defer this until you are once more at work on that subject. Never trouble yourself about △ or . . . . until the winter.

Yours ever most sincerely,

H. Brougham.

We had hopes of seeing you on the Circuit.

BROUGHAM, PENRITH,
27 *July*, 1862.

DEAREST HORTENSIUS,

I HOPE and trust you are getting round and applying the remedy I always found so effectual, though so painful—I mean *work*. To encourage you in this, I will mention that in the invaluable treasury of Belles Lettres here—the Memoires of the Academy of Belles Lettres and Inscriptions—I have been looking for matters respecting Cicero, and find many curious pieces; one in particular, which is of the Abbé Sévin in the vol. 1737, on the life and writings of Athenodorus (of Tarsus) whom Cicero knew intimately, and who furnished him with a Treatise de Officiis—whereof Cicero greatly availed himself when he wrote his own. Of course Middleton knew nothing of this. When I reflect on the last year of Cicero's life, it appears to me almost incredible. His philosophical works (De Officiis—De Natura Deorum

—Divinatio—Senectute) were all written during the hurry of his stay at his villas, while expecting to be overwhelmed (?) by Antony; and then his Philippics, all composed, and such as were spoken delivered during the same period. Nor is there anything more remarkable than the brilliancy with which his genius shone forth in these the last of his writings, and when in his 64th year. Not to mention the *divina Philippica* [*illegible*] the last, 14th, and especially the 9th, on the statue to Servius Sulpitius, a very short one, but one of the finest he ever made. Altogether it shows him to have perished in the very vigour of his faculties.

Believe me, most sincerely,

Yours,

H. B.

BROUGHAM, PENRITH,
11 *Augt.*, 1862.

DEAREST HORTENSIUS,

I HOPE you are arrived at your destination safe and well.

You can expect little news from this country, as I am so far off from all *reliable sources.* The opinion of well-informed people is that these American horrors will last until both parties are exhausted. But I should no day be surprised to see the feeble mob and its leaders and slaves suddenly take some turn. Garibaldi is another puzzle—but he will not be able to do much harm. Only there never was such a delusion in the *Times* "Our Correspondent" at Turin, who writes that he (Garibaldi) has received £120,000 from the Mazzini Committee in England! I don't believe they have been able to send him £1200, or anything like it.

Cobden's attack on Palmerston was a complete

failure—I mean his *last* attack; the former was very successful, for P. had put himself clearly in the wrong in throwing blame on the manufacturing capitalists who, to my certain knowledge, have half ruined themselves in keeping their mills going to save their poor people . . . . . .

. . . . . .

I have been looking again into the Mem. Acad. Belles Lettres, and there are some most important papers on M. T. C., one by Abbé Montgault among the rest. He was always regarded by Romilly as the best translator and commentator. His paper, to which I refer, enters at length into Cicero's defence against the abominable charge of Sallust (or whoever was the author of the *Declamatio*) as to his daughter—which vile work is quoted by Quinctilian as Sallust's, without the least reprehension of it. The Abbé does not advert to the still more terrible charge of Sallust, respecting his intimacy with his freedman. Indeed, Sallust's own despicable character in all respects, may well be thought to deprive his slanders of all weight.

The Abbé's chief paper is on the *Fanum Tulliæ* —the project of erecting a temple to her and having her worshipped. There is great learning and much ingenuity shown in that memoir.

I dwell upon these things because they will probably interest you more than any speculations on the aspect of affairs or of parties. Kind respects and regards to Mrs. F.

Yours,

H. B.

4, Grafton Street,
Wednesday.

Dearest Hortensius,

I wish very much to see you in consequence of what passed with . . . . . ; but a day or two's delay will make no difference, and I am constantly engaged for some days. But pray come at all events, whether I see you before or not, and dine here on Tuesday next. I expect Glenelg and Broughton (Hobhouse). We dine at seven.*

Yours ever most sincerely,

H. Brougham.

* I remember that the question was discussed at this dinner, at which only four were present, why Pitt's intended marriage with the Hon. Miss Eden was broken off, and some curious particulars were mentioned.

BROUGHAM, PENRITH,
16 *Augt.*, 1862.

MY DEAREST HORTENSIUS,

I AM delighted to receive your letter, and to find you are somewhat better. Pray did you go to Lucerne because I posted a letter to you there, with some rather important particulars respecting Cicero from the Mem. of the Academy of Belles Lettres? We are in an extraordinary state of things, and very uncomfortable. The madness and wickedness of the Yankees leave no chance of peace for some time — unless the fickleness of their mob government and leaders should take, as is very possible, a sudden turn; and Garibaldi's supremacy seems to put the peace of Europe in some danger. You refer to what I said at Scarborough, when I was compelled to attend a M[echanics] I[nstitute] meeting, by having last year disappointed them. There was no report in the London papers of what passed. But I protested against Roebuck's proposal

of recognizing the South, as the very worst course we could take; and also against Palmerston's attack on the capitalists, and setting the working classes against them, as utterly unjust: the former having made great sacrifices—the latter also having behaved admirably: and I drew from the misery of America, a strong argument in favour of our mixed constitution. In truth, men's eyes are opened even there, and still more those of our *Bright* folks here, to the wretchedness of the *mobocracy.*

Believe me,

Most sincerely yours,

H. Brougham.

Kind regards and respects to Mrs. F.

BROUGHAM, PENRITH,
23 *July*, 1863.

CARISSIME MI HORTENSI,

NOT knowing your whereabouts I am obliged to write to Rutland Gate.

If you are on circuit, pray don't forget that we are here till the beginning of August; and I shall expect you of course in your passage to or from Appleby, where the Commission day is 4th August, the dinner being at Lowther on the 3rd.

We expect Wilde, B., and Lady W. here before Chester, where he attends by deputy.

I am a good deal better, and enjoy the quiet here after London. I came last Saturday.

Yours most affectionately,

H. B.

Brougham
Penrith 23 July 1863

Carpenter Mr Hartwell

Not Knowing
your whereabouts I am
obl'd to write to Rutland
Gate If you are on Circuit
pry stent Bryant that we
are here till the legacy
of Oth - and shall
expect you of course
in your hopes to
a from affect, where
Commission chg is 4 Agst
the dinner leg at

Lowther on the 3d —
we expect Wilde. B.
& Ly W. here before
Chester where he attends
by deputy.

I am a good
deal with & enjoy the
quiet here after London
I cannot last Sutrey

Yours ever
affy
H. B

BROUGHAM, PENRITH,
6 *Augt.*, 1863.

DEAREST HORTENSIUS,

I REJOICE to see your good accounts of the good effects of Homburg. Pray mind this; that if the Malets should be there while you remain, you must at once go to them, and they will be most happy to receive you, and give all the facilities of their station. He is our Envoy at Frankfort, and I wrote to warn them of the possibility of your calling, either there or at Homburg.

The Tullia passage is in a very zealous [or readable?] memoir of Montgault, (whose translation you know) in vol. 1, Mem. Belles Lettres, 1736. The mem. is entitled "*Sur le Fanum de Tullia,*" but when it was read don't appear, except that it must have been before 1710 [or 1718?]. I shall have the material portions of it copied, and send it to you. He refers to the notion of Donatus,

that Virgil in 6 Æneid had Cicero in his eye, in the line—

Hic thalamum invasit natæ, &c.,

and which notion he says, Servius rejects, as a kind of blasphemy. He then refers to the invective ascribed to Sallust, in which the passage occurs, *Filia matris pellex, tibi jucundior et obsequentior, quam parenti par est.*

He also cites Dio Cassius, who in the answer which he makes Calenus give to the second Philippic, charges Cicero directly with the incest—*καὶ τὴν θυγάτερα μοιχεύειν* (lib. 46). The Abbé adds that every one knows the scandalous attacks of Dion. He dwells at length on the improbability of the story; and he also says that Atticus and Brutus had, in expecting him to get over his grief and return to Rome, heard rumours which they did not venture to repeat to him.

The Abbé concludes, from a good deal of reasoning, that Cicero never raised the Fanum. There is a memoir on Sallust (vol. xxv), in which the President

de Brosses, shows that the invective against Cicero ascribed to Sallust, cannot be authentic; though it certainly was written before the time of Quinctilian, who refers to it.

I grieved much for Cresswell, whose accident probably hastened his death; but the complaint was a growing of fat about the heart . . . . . .

Yours most sincerely,

[*Not signed.*]

BROUGHAM, PENRITH,
27 *August*, 1863.

CARISSIME MI HORTENSI,

IT is odd that I was on the point of writing to you at Homburg when your welcome letter arrived. What I wanted to say was, that there are two or three memoirs in the *Academie des Inscriptions* on Cicero's religious opinions, which might be worth your looking at. But, as I don't know that you consider the subject in your Life, I do not send you an abstract. There is one strange omission in these memoirs, of any reference to the passage in the De Senectute, in which he expresses his confident expectation of meeting Cato in the other world. I quote that passage in my dedication to Althorp of the Nat. Theology—applying it to Romilly —but of course leaving out *cujus a me corpus crematum est, quod contra decuit ab illo meum.* The Congress at Edinburgh begins Oct. 7,—therefore, I must be there on the 6th. But surely I

may hope to see you and Mrs. F. (to whom pray present my best respects) here before that time. All our ladies here join in this desire, which I hope you will convey to her. I don't expect any company here at the time, except perhaps the Clanricardes, and possibly Hastings, the Secretary of the Congress.

I hope and trust you find benefit from Homburg.

Yours most sincerely,

H. B.

As to the Divorce Court, there is great exaggeration, and I believe Wilde will find it a great relief from Circuit.

BROUGHAM,
6 *Sept.*, 1863.

I NEED not say, my dear friend, how delighted we shall be to have you and Mrs. F. here; but you say you are to write again to know, when you name the time, whether it will be convenient. It *will certainly* be *most* convenient and most agreeable at whatever time. There may be one or two Paris men on their way to Edinburgh—possibly Berryer, who promised to come; but I suppose the meeting of the Chambers may prevent him.

I agree with you that the passage in the letter to Atticus amounts to no proof of an opinion, but is in deference to Atticus's Epicurean notions. It is strange enough that in the French memoirs there is hardly any reference made to Cicero's letters—only one or two—and none to the Atticus letters. The doctrine is all taken from the Natura Deorum, the Tusculan and other philosophical works. The absence of all reference to the passage in the Cato

Hotel Nuevo
17 Mr 1863

Chairman Mr Thatcher

I must
trouble you with a few lines
in consequence of a very able
paper. I have just been
ready & which you ought to
see — It is in the last number
of the Revue des deux mondes (the only
well conducted [illegible]) and
entitled Brutus après les lettres
de Cicéron — It is important to be
given a more full account of Brutus
& of his relations to Cicero — The
paper is of some length (between
30 & 40 pages) but not at all
too long I never before heard such
a mean opinion of Brutus
as he gives

P.S. I see no proposal of any change here except that L. H. will probably make his way by giving some [illegible] of [illegible] — But his proposal of a congress (to throw the blame off himself) is universally secured — Thus he's done himself no good in the electoral discussions in the Deputies & my friend Bonnyard, [illegible] Deputies have been overpersuaded to vote as agreeably where all the liberal speaker are absurd by mere ~~[illegible]~~ clamour

I really think he was as much
the spot of other people's effects
as Cicero himself. And on his
differences, smarting to quarrels
with Cicero, I conceive him to
have been always in the wrong.
Bosphorus (the author of the paper)
considers Thomson (The Seasons
accept to the with epigram) to have
completely settled the quarrel
the authority of the Sunday
Chiefly letter that remains of the
minor wrap which alone
time yield of letter 100 every

Brother — Kindest regards
& respects to Mrs F. & Helen
me as ever of K J S

H. Brougham

Major is extraordinary, because that passage is proof of the belief having a *practical* effect on his feelings . . . . . .

Yours most sincerely,

H. B.

HOTEL MEURICE,

17 *Nov.*, 1863.

CARISSIME MI HORTENSI,

I MUST trouble you with a few lines in consequence of a very able paper I have just been reading, and which you ought to see. It is the last number of the *Revue des Deux Mondes* (the only well-conducted one in France), and is entitled *Brutus après les Lettres de Cicero.* It is impossible to give a more full account of Brutus, and of his relations to Cicero. The paper is of some length (I believe 30 or 40 pages), but not at all prolix. I never before had such a mean opinion of Brutus as he gives. I really think he was as much the sport of other

people's efforts, as Cicero himself; and in his differences, amounting to quarrels, with Cicero, I conceive him to have been always in the wrong. Boissier (the author of the paper) considers Herman [Gœttingue] (the *German* according to the witty epigram) to have completely settled the question of the authority of the twenty or thirty letters that remain of the immense mass which at one time existed of letters to and concerning Brutus.

Kindest regards and respects to Mrs. F., and believe me

Ever most affectionately yours,

H. Brougham.

P.S. I see no prospect of any change here, except that L. N. will probably make his way by giving some extension of free discussion. But his proposal of a Congress (to throw the blame off himself) is universally scouted. Thiers has done himself no good in the electoral discussions in the *Deputies;* and my friend Berryer, I plainly see, repents having

been over-persuaded to enter an assembly where all the liberal speeches are drowned by mere clamour.

CANNES (VAR),
CH[ATEAU] EL. LOUISE,
17 *Dec.*, 1863.

DEAREST HORTENSIUS,

I TAKE it Murray is right in his number of 2 volumes on mercantile principles.

I don't at all object to what you say of sarcasm, which has often been commended.* But my forte always was *argumentative declamation.*

As for the ground of passing over Shee . . . . . —for it is precisely to prevent the possibility of such objections, that the rule is absolute against the Chancellor ever letting any one of his colleagues

* The first part of this letter refers to my "Life of Cicero," which Murray was about to publish in two volumes. I therein alluded to Lord Brougham's power of *sarcasm*, and in terms to which, as the letter shows, he did not object.

know whom he means to appoint, until he has taken the king's pleasure, and thus made the appointment final . . . . . Kindest regards and respects to Mrs. F.

And believe me ever,

Yours, most sincerely,

H. B.

CANNES (VAR),
CH. E. LOUISE,
26 *Dec.*, 1863.

CARISSIME HORTENSI,

I SENT you by book-post to-day, two numbers of a periodical conducted by Liberals, and in which I have always taken a great interest. These numbers contain an article on Brutus, and a great deal of discussion on Cicero. They may be worth your looking at. I don't know the author, Campan.

We are still in the enjoyment of the finest summer

Connors
(Van)

Ch. E. Lunn
26 Dec 1883

Chairman Hortons

I send you
by book post today - two
numbers of a periodical
conducted by Liberals & in which
have also taken great
interest - These numbers
contain an article on
Strauss & a good deal
of discussion on Cicero -
They may be worth your

your looking at — I don't
know the author Compan
— We are still in the
eyeing of the present
summer here — rather too
fine — for the trees are
prooting out their blossoms
rapidly & I doubt not will
suffer afterwards by the Post
I suppose our goodfolks will
leave Brigham on Monday &
we may expect them here
in less than a fortnight
Kindest yours & respects to Mrs
& believe me most true
H. B.

here—rather too fine, for the trees are pushing out their blossoms rapidly—and I doubt not will suffer afterwards by the frost. I suppose our good folks will leave Brougham on Monday, and we may expect them here in less than a fortnight. Kindest regards and respects to Mrs. F., and

Believe most sincerely,

H. B.

CANNES (VAR),
CH[ATEAU] E. L.,
4 *Jany.*, 1864.

CARISSIME MI HORTENSI,

I TRUST the Critique Française arrived safe, though it is of little value; and that your Cicero is nearly out. It was, by mistake of the servants here, not sent the same day, but the day after.

I find the book-post safe in general, but I make Ridgway send me books by Rail Parcel.

I shall take some interest in the An[nual] Register now I know in whose hands it is.* For many years it was in Burke's, I believe during the whole of the American War, and for some time after.

We are now in colder weather here, but still as fine as possible. The good folks being in great want of rain (only half the usual quantity having fallen last year), were sadly disappointed last week when we had a thunderstorm, and they expected that rain would come in the [*illegible*]. But only an hour's light shower came, and now we are in the middle of an orange-flower harvest, which is like that in May.

You see Thiers has made a very moderate speech, and his enemies expect him to take office, which I certainly do not. He was returned by the exertions of the Republican party, as not at all approving of him, but taking him for a decided enemy of the Imperialists. They will be furious if he deceives

* For many years I was the Editor of the work.

them. Nothing can be so wild as the Jerome Napoleon paper calling out for war in behalf of Poland, and to prevent Russia from taking all Europe under her care by a general coalition. Kindest wishes of the season to you and yours.

Believe me,

Ever most sincerely yours,

H. B.

CANNES (VAR),
CH. E. LOUISE,
Thursday, 14 *Jany.*, 1864.

MY DEAR FRIEND,

I AM utterly shocked at the villany of the Post Office . . . . . and I shall have the Post Office here pulled up, as they are to blame.

We have had a great speech of Berryer, who has, I won't say surpassed, for that would be impossible, but equalled, himself. I saw an absurd article in the *Saturday Review* on Thiers, calling him the

greatest orator in France. He is all very well, and as a Ministerial speaker, does his work as [*illegible*] as [*illegible*] did.

But the orator is Berryer. I reckon him the first of Advocates, and equal to Erskine, which is saying everything, in the conduct of a cause, in which I have seen him with wonder. But he excels Erskine in this, that he is as great in Parliament as at the Bar, which E. certainly was not, though far more considerable than is generally said. I do hope that the wretch Mazzini may be punished in his own country for this new assassination plot in which he has been concerned.

With kind regards and respects to Mrs. F.

Believe me,

Sincerely yours,

H. B.

CANNES (VAR),
CH. EL. LOUISE,
22 *Jan.*, 1864.

CARISSIME MI HORTENSI,

. . . . . FOR he (the Emperor) is certainly much worried by the debating power of the Opposition, and I conclude that he begins to feel what Fould always told him, that he had given too much not to be driven on to give more.

I perceive an indication of new trouble to him in the two Paris Elections for vacated seats. Carnot is to stand for the one, and Garnier Pagés for the other. G. P. was to have come to his new house in this neighbourhood which is just finished and furnished, and he was expected to enter upon it. But he writes that his coming is delayed indefinitely; the Government has the power of fixing the election at any time within six months of the vacancy, and they are not expected to fix this, for two months; not liking two Paris defeats, which they are pretty sure to sustain. Garnier Pagés had the whole

regulation of the votes in Thiers's Election, and he chose him (by the help of Persigny's folly in abusing him) from no liking to Thiers, but [*illegible*] as a certain opponent of the Emperor.

Kindest regards and respects from all here to Mrs. F.

Yours most sincerely,

H. B.

CANNES (VAR),
CH. EL. LOUISE,
[*Feb.*, 1864.]

MY DEAR FRIEND,

THE Cicero is come safe, and a most beautiful book it is in all respects. But I here speak of its external character. The cuts are admirable, and I never can thank you enough for the pleasure I anticipate in a careful perusal. I shall write to you again when I have read a little of it. At present I am occupied in trying to make him Cicero, and not *Kikero.*

My belief is that the Italians never retained (?) the real Roman pronunciation of *chi* and *che.*

But I want to prove it, and my proof will be to find some place such as Cestria, supposing that name to have been given in classical times, and then to find that it has ever since been called *Chester* or Winchester, as Ainsworth has it. The conservation of the name in this change would be a strong proof. Ainsworth gives no authority, and I have not looked into Strabo.

Well, what is to be done about our Criminal law? Kelly is proposing a bill: but this is the difficulty. If Townley was mad at the time when sentence was to be executed, of course he could not be hanged on the *day fixed.* But if he got well, he ought to have been hanged. Then there must be a new sentence. It is the same if the convict is seized with apoplexy, and [*illegible*] over him for life the trial. He cannot in that state be hanged. But he may be quite fit for execution a day or two after.

Yours ever most sincerely,

H. B.

CANNES (VAR),
CH. EL. LOU.,
20 *April*, 1864.

MY DEAR FRIEND,

I RECEIVED your melancholy letter a few weeks ago, and rejoiced to find you were disposed to take the only remedy—hard work* . . . . . .

I live in hopes of seeing you before long, as I shall face the cold, and the fog, and the [*illegible*] of the H. of Lords in little more than a fortnight. I have been writing a somewhat elaborate preface to Plunkett's speeches and memoirs, which his family are publishing. I regarded him as the first of modern orators, and I deemed it my bounden duty to undertake this task, as Erskine did to the collection of Fox's Speeches.

Yours ever most sincerely,

H. BROUGHAM.

Our family desire their kindest regards.

* I had written to Lord Brougham, to tell him of the death of my wife.

CANNES (VAR),
CH[ATEAU] E[LEANOR] L[OUISE],
3 *May*, 1864.

MY DEAR FRIEND,

I SEND you by this post Lord Wellesley's very interesting work *Primitiæ et Relliquiæ*, which I doubt if you saw at Brougham. It is dedicated to me, and well deserves to be read. I am somewhat humbled when I reflect on one of the articles—*Salix Babylonica*—which he wrote in admiration of the 137th Psalm; and so great was his admiration, that he corresponded with Bishop Maltby about learning Hebrew, which he had resolved to do. What humbles me is, to think of his having had this project when in his eightieth year, and, though I have no reason to complain, I feel how much more vigorous he felt at eighty than I do at eighty-four or eighty-five.

I wonder at your having never read any of Plunkett's great speeches. The one in 1821 on the Catholic question is represented by those who were

lucky enough to hear it (which the N[orthern] Circuit prevented me) as the finest that ever was heard. But I had, both before and since, heard him, and, I may add, contended with him in debate. He was a first-rate orator—take him in all respects, the finest I ever heard. I only doubt if my preface will do him justice, and the speeches revised by himself are so few, that a great part of his Rhetorical renown must remain upon tradition: fortunately, we saw so much of him in England that nothing rests upon Irish tradition. Since I began my letter, I have come to the determination to bring the Wellesley book home with me, instead of trusting it to the post, after the shameful blunders which befel my last transmission. I set out in ten days, and shall hope soon to see you, as I only stop three or four days in Paris. All here desire their kindest regards.

Sincerely yours,

H. Brougham.

4, Grafton Street,
Saturday, 9 *July*, 1864.

My dear Friend,

I grieve that the only person I know in Russia is our Ambassador, and I enclose a letter to him, which will procure you much more kindness than the ordinary Foreign Office letters, which Foreign Ministers rather look upon as an order from the office.

You go at a right time, and I hope my attacks upon Russia may not injure you, when known to be my friend.

Believe me,
Most affectionately yours,
H. B.

CH[ATEAU] E. L.,
CANNES,
25 *Jan.*, 1865.

CARISSIME MI HORTENSI,

I GOT your letter this morning, which gave me real pleasure—but you did not mention your son-in-law's name, and I searched everywhere for the chance of finding them, but in vain. Of course, my desire was to see them here,—but if they called, they left no name. I must congratulate on the marriage which I had not heard of.

But my chief felicitation is in your own health, which I hope and trust is permanently recovered.

Having only the Classics here, without the Memoirs of the Academy, I shall have little to suggest till I get to Brougham. I have just been reading the last Quarterly, which has some good articles . . . . . .

. . . . . I mean my name being omitted alone of the Law Lords, because I had . . . . . .

The post is going, so I close.

Yours ever,

H. B.

CANNES (VAR),
CH. E. L.,
3 *Feb.*, 1865.

MY DEAR HORTENSIUS,

MANY and hearty thanks for your kindness . . . . . My great regret is, that you don't make it *publici juris.* I am just going to write to Prince Lucien, who is become a Cannesian (?). I am sure it will greatly interest him, and indeed raise his country in his estimation, when you recommend *Russland* for an autumn excursion.

I am enabled to bear my sudden and most unexpected blow the better, by all our family being with me, and also by the sad reflection that it closed

without pain a long existence of misery from weakness and pain, which had been suffered for fifteen or sixteen years.

Yours most sincerely,

H. B.

Reggie desires his kind regards and respects. He is much pleased with your remembrance of him.

BROUGHAM, PENRITH,
Monday, 31 *July*, (1865).

MY DEAR FRIEND,

I HAVE read your very kind letter, and heartily thank you for it. I write to a trusty person in Town to make enquiry as to the *theft*, for such it is. The man must have bought the book from one who stole it.* I am much disturbed

* This alludes to the *Novel* written by Lord Brougham, and afterwards suppressed. I had told him in a letter that I saw in

at the petition against your seat. Le Marchant has written to me, that he also was alarmed by Merivale, whom you have seen. But although you cannot for a moment enter the House until it is disposed of, (because you by voting at any moment when a question is put, incur the penalty), I really cannot see how it comes within the Act. I am quite aware of the case of King's Counsel, and that a patent of precedence is given to avoid it. But that is because the only retainer is from the Crown direct, and it is a salary from the Crown. But I cannot see that in your case it is anything but a retainer from the Secretary for India . . . . . .

Yours most sincerely,

H. B.

a shop window in London three volumes labelled "———, a Novel by Lord Brougham."

BROUGHAM, PENRITH,
8 *August*, [1865].

CARISSIME MI HORTENSI,

YOU may rely on my discreetly . . . . . my eulogy.

I am delighted with the possibility of your coming here. You know I am fixed till Saturday, when I go to Sheffield, and you can come without notice. We dine at 7; but if we knew your day, we would send the carriage to the station.

Yours most sincerely,

H. B.

Brougham
Penrith

26 Nov
1865

Confirm the Statement.

Have you encou-
-sided the authority of
the two pagnals es-
-pecially the Sonnum
Sapiens - and I
agree discussed - I am
lucky in the Fresh Mines
where there are some
elaborate papers on Aeon
but the total want of
any index in the

whether the [illegible] letters
[illegible] are [illegible] this [illegible]
the Sonnin which [illegible]
[illegible] the [illegible] [illegible] this
[illegible] [illegible] [illegible] [illegible]
[illegible] is really [illegible].
— My [illegible] [illegible] is [illegible]
[illegible] [illegible] [illegible] [illegible]
and [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible]
H. B.

BROUGHAM, PENRITH,
26 *Nov.*, 1865.

CARISSIME MI HORTENSI,

HAVE you considered the authority of the two fragments—especially the Somnium *Scipionis,* and is it anywhere discussed? I am looking in the French memoirs, where there are some elaborate papers on Cicero; but the total want of an index makes the search tedious. There are some things in the *Somnium* which tally (?) with the Christian rather than Pagan, such as *what we call life is really death.*

My only Cicero here is Ernesti* . . . . . .
. . . . . .

Yours most sincerely,

H. B.

* The latter part of this letter is to me hopelessly illegible. I have given a *fac-simile* of the original. Perhaps others may be more successful in deciphering it.

BROUGHAM, PENRITH,
1 *Dec*, 1865.

MANY thousand thanks, my dear friend, from myself and the whole family, for the very valuable present of your Rome. It is [*illegible*], and its printing, with all the cuts, is superb.

I deeply lament that I shall not be able to attend at Cambridge with your constituents. But I hope the papers will give me your address. I have found the Somnium Scipionis referred to in a very able [*illegible*], one of a series by Sibert in the Academy of Belles Lettres. He assumes its authenticity.

Yours ever most sincerely,

H. B.

Private.

CHATEAU E. L.,
CANNES,
17 *May*, 1866.

CARISSIME MI HORTENSI.

I AM quite clear that a declaratory Act should be passed to set this *gross error* right, and I do hope and trust that it will be done. The absurd decision of the Commitee is the only thing against it.*

You are quite wrong in supposing that any thing can turn on the publication of Lord Grey's letters, as regards the account in Molesworth's book of what passed with William IV. on the dissolution of 1831, for all that the son says was referred to and shown to be quite wide of the real question, viz. the *hour of*

* This refers to the decision of a Committee of the House of Commons, by which my election as M.P. for Cambridge was declared void, on the ground of my holding the office of Standing Counsel to the Secretary of State in Council of India.

the King's going down to the House of Lords, and not to the question of his previous assent to the measure. Besides, the present Lord Grey has retracted what he said of my not having accompanied his father, saying he has found that I was with him. But Molesworth has received letters from the nephew of Sir J. Warren, stating that on board his uncle's ship, William IV. himself told the whole exactly as Roebuck's book and Molesworth have given it. There is therefore an end of all question on the subject.

I agree with you as to the Conservative prospects, but I greatly fear we are to have a war which will make all home politics uninteresting.

Yours ever most sincerely,

H. Brougham.

Private.

BROUGHAM, PENRITH,
Nov. 29th, 1866.

MY DEAR MR. F.*

MANY thanks for your kind letter. The accident was really nothing, and the lumbago I have had, and still have, is not owing to it, but to the weather, and I almost always have it at this season.

My using another hand is merely owing to laziness.

I agree in all you say on Judicial Promotion, and feel quite certain that . . . . . I hope to see you as I pass through town in less than a fortnight; and am, in the meantime,

Your most affectionate and attached friend,

H. BROUGHAM.

* This letter is written by an amanuensis, and only signed by Lord Brougham.

4, Grafton Street,
[*Date illegible*].

Carissime mi Hortensi,

I heartily rejoice to find you are in such progress, because it shows you to be well. I need not say how great an honour I should deem what you so kindly propose. I wish I were as well as you; but I have been suffering under *our* complaint, aggravated by the state of my mouth (from teeth) which makes me no longer deserve the name of *silver-tongue,* which I once had.

However, I mumble on to the end of the Session, and shall hope to be more audible at the Great Congress [Social Science], where I preside in October at Edinburgh, and if you should attend it, I trust you and Hortensia will make Brougham your Inn on the road.

Believe me,
Sincerely yours,
H. Brougham.

4, Grafton Street,
29 *Jan.*, 1866.

My dear Friend,

Here is the Wellesley Relliquiæ. I have put in the last of them, with the addition which he made at my desire to what he had first written, and which is in the printed work. Mind I shall request you to return this if I find that we have no copy at Brougham or Cannes.

I hope and trust you are well and at work, though slowly recovering your most severe blow.

Yours most affectionately,

H. Brougham.

Private.

BROUGHAM, PENRITH,
17 *Augt.*, 1866.

MY DEAR FRIEND,

I SEND by book-post to-day Sir E. Wilmot's prize essay on Cicero and Tusculum, which he has allowed me to send for your perusal. I am uncertain of your *whereabouts* at present; and if you are not returned from your trip to the Continent, it can remain till your return. Pray return it to me at your leisure. All here desire their kindest regards. If you are disposable, I hope we shall see you at our Congress at Manchester in October.

Yours ever most sincerely,

H. B.

THE END.

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Brough

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Penrith 17 Aug 1866

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at your Lessons
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Kindest regards — If
you are disposable I
hope we shall see you
at our Corps at
Manchester in Oct
you will not [illegible]
H. S. B.

PP

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